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July 29, 2002

PATENT APPLICATION  
DOCKET NO. 2709.1001-001

\$1634



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 07 2002

TECH CENTER 1600/2900

Applicant: Gary L. Breton

Application No.:

09/540,209

Group:

1634

Filed:

April 4, 2000

Examiner:

S.A. Sakelaris

For:

NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO  
*BACTEROIDES FRAGILIS* FOR DIAGNOSTICS AND THERAPEUTICS

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>7/29/02</u>	<u>Katie Norris</u>
Date	Signature
<u>Katie Norris</u>	
Typed or printed name of person signing certificate	

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith is a Reply to Restriction Requirement and Preliminary Amendment for filing in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	(COL. 4)	(COL. 5)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	28	MINUS	* 28	0
INDEP	9	MINUS	** 9	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY		
	RATE	ADDIT. FEE
X	\$ 9	\$
X	\$42	\$
+	\$140	\$

OTHER THAN SMALL ENTITY		
	RATE	ADDIT. FEE
X	\$18	\$ 0
X	\$84	\$ 0
+	\$280	\$

TOTAL = \$ 0

TOTAL = \$ 0

\* not fewer than 20

\*\* not fewer than 2

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [            ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for two month Extension of Time	\$	<u>400</u>
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>400</u>

[X] A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Doreen M. Hogle  
Doreen M. Hogle  
Registration No.: 36,361  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: July 29, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Gary L. Breton  
Application No.: 09/540,209  
Filed: April 4, 2000  
For: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO  
*BACTEROIDES FRAGILIS* FOR DIAGNOSTICS AND  
THERAPEUTICS

Group Art Unit: 1634  
Examiner: S.A. Sakelaris

TECH CENTER 1600/2900

AUG 07 2002

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REPLY TO RESTRICTION REQUIREMENT  
AND  
PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Responsive to the Restriction Requirement dated May 6, 2002, the claims of Group I (Claims 1-13), drawn to polynucleotides, vectors, host cells containing same, methods of expression of nucleic acids and as vaccine compositions, are hereby elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Responsive to the requirement for an election of a sequence, Applicant hereby elects nucleic acid sequence SEQ ID NO:4084 encoding the polypeptide sequence SEQ ID NO:9306.